

Submissions invited on proposed amendments to WA's R-Codes

20 July 2020

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Worthwhile read for: Town Planners, Developers

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On 11 July 2020, public consultation opened on revisions to the R-Codes State Planning Policy 3.1 (**SPP 3.1**), which forms part of the State Government's planning reforms to support economic recovery from the COVID-19 pandemic.

SPP 3.1 proposes a number of amendments to State Planning Policy 7.3 – Residential Design Codes Volume 1 (**R-Codes Vol.1**), which seek to:

- exempt a wider range of small residential projects from development approval;
- simplify assessment; and
- improve design and liveability of residential developments,

for single houses, grouped dwellings and multiple dwellings (coded less than R40).

Background

R-Codes Vol. 1 was prepared by the Western Australian Planning Commission pursuant to section 26 of the *Planning and Development Act 2005* (WA), and sets out the standards for design and assessment for single houses, grouped dwellings and multiple dwellings (coded less than R40) in Western Australia.

R-Codes Vol.1 is divided into elements that address specific design and assessment matters. Each design element contains deemed-to-comply provisions, which are development standards that proposals are measured against, and, if satisfied, proposals can generally progress without obtaining development approval (note that the requirement to obtain building approval is unaffected).

The amendments proposed to R-Codes Vol.1 aim to enable more applications to satisfy the deemed-to-comply provisions, creating expedited pathways for home renovation projects.

Proposed amendments to the deemed-to-comply provisions

Some of the key proposed amendments to the deemed-to-comply provisions include:

1. Development approval is no longer required for the erection of single houses on lots less than 260m² that meet the deemed-to-comply provisions.
2. Front fences within the primary street setback that are visually permeable with 1.8m piers are deemed-to-comply.
3. Building height limits for two storey dwellings have been increased to account for modern building standards (i.e. higher ceilings).
4. With respect to visual privacy setbacks, currently where an intervening screen is not provided, setback must be at least 7.5m for any balcony, verandah, terrace or other outdoor living area raised more than 0.5m above ground level, for areas coded R50 and less, and 6m for areas coded R60 and above. The proposed amendments apply the 6m setback to lots coded R30 and above to accommodate for smaller lot sizes.

5. Lot boundary setbacks may be reduced to nil for patios and verandahs (or equivalent) of less than 10m in length and 2.7m in height, where the patio or verandah is behind the primary setback, and where the eave, gutter and roof are set back at least 0.5m from the lot boundary. This seeks to remove a regular discretion exercised by local government, facilitating the removal of development approval for such projects.
6. With respect to street setbacks, unenclosed porches, balconies and verandahs may project into half the primary street setback area. Currently, projection can be no more than 1m.
7. The minimum site area (i.e. the area of land required for construction of a dwelling) for ancillary dwellings is reduced from 450m² to 350m².
8. Deemed-to-comply provisions for small outbuildings have been inserted, which provide that small outbuildings:
 - are limited to one outbuilding per dwelling site;
 - have no more than two boundary walls;
 - do not exceed 10m² in area;
 - do not exceed a wall and ridge height of 2.4m;
 - are not located within the primary or secondary street setback area;
 - are non-habitable; and
 - are not attached to a dwelling.

Pursuant to the amendments enabling small outbuildings to be built up to lot boundaries, reducing lot boundary setbacks and permitting substantial intrusion into street setbacks, more small residential projects including the erection of small sheds, patios and decks will not require development approval.

Simplified assessment

Amendments have been proposed to simplify assessment, making it easier for homeowners to identify whether a proposal satisfies the deemed-to-comply provisions. These amendments include:

- removing averaging calculations for boundary wall calculations; and
- combining the provisions relating to the assessment of site works and retaining walls to enable more straightforward height and setback calculations.

Design and liveability

Some of the key amendments proposed to improve the design and liveability of residential developments include requirements that:

- landscaping of single houses, grouped dwellings and multiple dwellings must include space for at least one tree per dwelling, being a minimum dimension of 2m and free of hard surface and roof above;
- ancillary dwellings must complement the colour, roof pitch and materials of the single house on the same lot. Further, where visible from the street or adjoining properties, ancillary dwellings must contribute positively to the amenity of the streetscape and its context; and
- a carport's roof pitch, colours and materials must complement the associated dwelling's façade.

Submissions

Submissions are currently open in respect of the proposed amendments and are due by 5pm on 10 September 2020. Written contributions are to be made through an [online form](#). However, contributions by mail will also be accepted.

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